

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 8-15 were previously pending in the application. Claims 12 and 13 are canceled and new claim 16 is added. Therefore, claims 8-11 and 14-16 are presented for consideration.

Claims 8-15 were rejected under 35 USC 101 as being directed to non-statutory subject matter. That rejection is respectfully traversed.

Claims 8-15 are amended to recite a computer readable medium encoded with a computer program. Although a particular medium is not disclosed, nevertheless, one of ordinary skill in the art would readily recognize that the medium is not restricted to any particular medium. See, for example, paragraphs [0042]-[0046]. Moreover, the recited method and apparatus produce a concrete, useful and tangible result, i.e. the recited "response". See paragraphs [0010] and [0040] which disclose examples of a response, e.g. symbol string.

In view of the above, it is believed to be apparent that the recited invention is directed to statutory subject matter. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 8-15 were rejected under 35 USC §103(a) as being unpatentable over BALLARD et al. 5,377,281 in view of KWOK et al.

US Publication No. 2002/0165873. That rejection is respectfully traversed.

The Official Action recognizes that BALLARD fails to teach calculating the smallest possible length difference at the calculation point. KWOK is offered for this teaching with the Official Action concluding that it would have been obvious to combine BALLARD and KWOK to render obvious this feature.

However, this position is believed to be untenable for at least the following reasons.

First, it should be observed that KWOK does not in any way suggest that the examined words should be divided into a trie data structure as in the claimed invention and as in BALLARD.

One of ordinary skill in the art would therefore not consider KWOK in combination with BALLARD due to the fundamental difference in how to handle the data to be analyzed.

Moreover, even if a person skilled in the art would for some reason consider KWOK, the skilled person would not arrive at the claimed invention. The reason is that KWOK teaches that the edit distance, in other words distance, between words should be calculated by taking into account each letter in the word. (See "cat/cot" in paragraph [0062] of KWOK, for instance). Such a solution does not meet the recited claims. Rather, the recited claims offer a better solution wherein the length difference is calculated for "the remaining part of the input symbol string not

examined in the distance calculation", which is not taught or suggested in KWOK (or BALLARD).

Instead, it appears that the edit distance calculation suggested by KWOK resembles the recited "distance calculation" feature, but does not also meet the recited "length difference calculation". It should be noted that both of these calculations are recited, while neither BALLARD or KWOK teaches or suggests that two different calculations should be carried out at the points of the trie data structure.

Second, the Federal Circuit has held that it is improper to combine references when the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983).

Column 8, lines 60-66 of BALLARD disclose the use of both valid English words and invalid words when "growing" a path. Such growth does not qualify as a result of a symbol string search. Rather, such growth search teaches away from a length comparison and it would be opposed to the teachings of BALLARD to carry out a calculation of the length difference as recited.

Accordingly, it would be improper to combine BALLARD with any reference that discloses length difference calculations.

Thus, even if one of ordinary skill in the art were to consider the combination of BALLARD and KWOK in the first instance, the proposed combination does not provide a solution involving length difference calculation as neither of these

references teaches or suggests that the length of the input symbol string should or could be compared with the remaining lengths of the symbol string in a trie data structure.

Accordingly, the proposed combination of references does not meet the present claims.


New claim 16 is added. The analysis above regarding claims 8 and 15 is equally applicable claim 16. Support for claim 16 can be found at least in paragraphs [0042]-[0046].

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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